

MONDAY, MARCH 14, 1983

FOURTEENTH LEGISLATIVE DAY

The House met at 6:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Darryl Blankenship, Stroudsville Church of Christ, Stroudsville, Tennessee.

Representative Pickering led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

The Speaker announced that Representative Dixon was excused because of legislative business.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 208, 754, 755, 770, 819, 823, 837 and 988; and House Joint Resolution No. 91; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 208, 754, 755, 770, 819, 823, 837 and 988; House Joint Resolution No. 91.

CALENDAR

House Bill No. 264--To allow sale of alcoholic beverages, certain passenger boats.

Mr. Kent moved that House Bill No. 264 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 264 by deleting in the amendatory language of Section 2 the words and figures "two (2)" and substituting the words and figures "one (1)".

AND IS FURTHER AMENDED by deleting in the amendatory language of Section 2 the period (.) at the end of the second sentence and substituting the following: "and in any county with a metropolitan form of government."

AND IS FURTHER AMENDED by deleting in the amendatory language of Section 2 the words "in interstate commerce".

On motion, the amendment was adopted.

Thereupon, House Bill No. 264, as amended, passed its third and final consideration by the following vote:

Ayes	69
Noes	20
Present and not voting	5

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Clark

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(Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Disspayne, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Gill, Hassell, Herndon, Hudson, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sir, Smith, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Work and Mr. Speaker McWherter--69.

Representatives voting no were: Atchley, Byrd, Davis (Pickett), Dills, Elsea, Ford, Harrill, Henry, Hillis, Hurley, Huskey, McAfee, Nance, Scruggs, Shirley, Shockley, Stallings, Turner, Wolfe and Wood--20.

Representatives present and not voting were: Percy, Rhinehart, Stafford, Wix and Yelton--5.

A motion to reconsider was tabled.

House Bill No. 389--To amend Section 18-6-106, Code.

Mr. Murphy moved that House Bill No. 389 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	2

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representatives voting no were: Anderson and Stafford--2.

A motion to reconsider was tabled.

Mr. Murphy moved that House Bill No. 192 be re-referred to the Committee on Calendar and Rules which motion prevailed.

House Bill No. 103--To make certain provisions, limited partnerships.

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On motion, House Bill No. 103 was made to conform with Senate Bill No. 153.

On motion, Senate Bill No. 153, on same subject, was substituted for House Bill No. 103.

Mr. Murphy moved that Senate Bill No. 153 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

Representative present and not voting was: Johnson--1.

A motion to reconsider was tabled.

House Bill No. 93--To allow sale of alcholic beverages, certain bowling centers.

Mr. Murphy moved that House Bill No. 93 be passed on third and final consideration.

Mr. Tanner moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 93 by redesignating Section 9 to be Section 10, and adding a new Section 9, as follows:

SECTION 9. Tennessee Code Annotated, Section 57-4-102, is further amended in subsection (i) by deleting the last sentence of subdivision (2).

On motion, the amendment was adopted.

Mr. Wood moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 93 by adding at the end of the amendatory language of Section 2 the following:

Provided, however, the provisions of this definition as the definition is used throughout this chapter shall not be effective in any county having a population of not less than two hundred eighty seven thousand seven hundred (287,700) nor more than two hundred eighty seven thousand eight hundred (287,800) according to the 1980 federal census or any subsequent federal census.

Mr Murphy moved that House Bill No. 93 be placed on the Calendar for Thursday, March 17, 1983, which motion prevailed.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

Mr. Murphy moved that House Bill No. 95 be placed on the Calendar for Monday, March 21, 1983, which motion prevailed.

House Bill No. 17--To prohibit possession of certain weapons, school property.

Mr. Love moved that House Bill No. 17 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 17 by deleting from subsection (1) of the amendatory language of Section 1 the words "and regardless of whether the knife is carried or possessed with the intent to go armed".

FURTHER AMEND by deleting the first twelve (12) words of subsection (a) of the amendatory language of Section 2 and substituting instead the following:

It shall be unlawful for any person to possess or carry with the intent to go armed, whether . . .

On motion, the amendment was adopted.

Thereupon, House Bill No. 17, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson,

Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

House Bill No. 189--To provide for restoration, certain historic structures.

On motion, House Bill No. 189 was made to conform with Senate Bill No. 65.

On motion, Senate Bill No. 65, on same subject, was substituted for House Bill No. 189.

Mr. Love moved that Senate Bill No. 65 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 65 by adding the following:

The provisions of this act (shall not) apply to counties having a population of not less than 315,000 nor more than 350,000 according to the federal census of 1980 or any subsequent census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 65, as amended, passed its third and final consideration by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally,

Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 7--To amend Small Business Purchasing and Contracting Act.

Mr. Owen moved that House Bill No. 7 be passed on third and final consideration.

Mr. Owen moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 7 by deleting Sections 2 and 3 in their entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 12-3-804 is amended by deleting all the language in this section and by substituting the following:

The state purchasing division and all state agencies, except as provided in Section 12-3-805, are required to actively solicit bids from small business whenever possible in order to purchase a fair proportion of purchases from small businesses.

The amount of fair proportion shall not be less than ten percent (10%) annually of all purchases entered into by all state agencies, as determined pursuant to Section 12-3-805. The board of standards shall determine such fair proportion in any given fiscal year based on a percentage of the aggregate total of all purchases entered into by all state agencies, as defined herein, in the preceding fiscal year.

Purchases shall not be deemed to be small business set-asides if the business to which such contracting is done is owned by or has any interest in another business which exceeds the limitations of Section 12-3-803. No small business to which a small business set-aside contract has been awarded shall subcontract any portion of such contracts with any business which exceeds the limitations of Section 12-3-803.

SECTION 3. Tennessee Code Annotated, Section 12-3-805, is amended by deleting all the language in this section and by

substituting the following:

The department of general services and the department of finance and administration shall design and implement procedures for the identification of small businesses, the selection of bid lists, the monitoring of purchases from small businesses and the determination of the aggregate total of all purchases entered into by all state agencies, starting with the 1982-83 fiscal year and for each fiscal year thereafter.

The department shall adopt and submit to the Board of standards for approval rules and regulations identifying those circumstances in which it is neither feasible nor possible for a state agency to enter into a purchase with a small business. Such purchases shall be exempt from the provisions of Sections 12-3-801-12-3-808 and shall not be included by the department and the department of finance and administration in their determination of the aggregate total of all purchases entered into by all state agencies in any given fiscal year.

SECTION 4. This act shall take effect July 1, 1983, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Davis (Hamilton) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 7 by deleting section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, section 12-3-803, is amended by deletings the period at the end of the third sentence and substituting instead the following:

; provided, however, that the maximum dollar value for inclusion as a small business shall not be less than five million dollars (\$5,000,000) for the construction industry.

Mr. Owen moved that House Bill No. 7 be re-referred to the Committee on Finance, Ways and Means, which motion prevailed.

House Bill No. 220--To amend Section 2-5-208, Code.

On motion, House Bill No. 220 was made to conform with Senate Bill No. 33.

On motion, Senate Bill No. 33, on same subject, was substituted for House Bill No. 220.

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Mr. Miller moved that Senate Bill No. 33 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 272--To regulate election of constables.

Mr. Buck moved that House Bill No. 272 be passed on third and final consideration.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 272 by deleting from the directory language of Section 1 the figures "8-10-101(2) (B)" and substituting instead the figures "8-10-101(a) (2) (B)".

On motion, the amendment was adopted.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 272 by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 8-10-10(a) (2) (B) is amended by adding the following at the end of the following column headings:

not less than

not more than

13,565
60,250

13,600
60,350

On motion, the amendment was adopted.

Thereupon, House Bill No. 272, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representative present and not voting was: Chiles--1.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 608--To make certain provisions, youth service officers.

House Bill No. 1216--To increase severance tax, Carroll County.

House Bill No. 1217--To repeal Chapter 43, Private Acts, 1965.

House Bill No. 1218--To create trust fund for medically indigent, certain counties.

House Bill No. 744--To require approval, sports regulations, Marion County School Board.

House Resolution No. 14--Relative to commending Association of Tennessee Valley Counties.

House Joint Resolution No. 92--Relative to honoring Cheryl Evans.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

36--To make certain provisions, municipal charters; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

102--To make certain provisions, motorized bicycles;

249--To make certain provisions, complaints against judges;

349--To make certain provisions, red foxes; all substituted for

Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

79--Relative to honoring Thelma Alford;

83--Relative to honoring Irving Trawick;

85--Relative to memory, Mrs. Mattie Hester Todd;

86--Relative to welcoming Twelfth Armored Division Association;

87--Relative to commending Bill and Helen Pickering;

88--Relative to recognizing U.S. Corps of Engineers; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 5--To prohibit the giving of certain candy or food.

SENATE AMENDMENT NO. 1

Amend House Bill No. 5

Sub-section (a) delete word "or" substitute the word "and" in the first line.

Mr. Disspayne moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt,

Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 15--Relative to study, bail bond system--By Love.

The Speaker referred House Resolution No. 15 to the Committee on Judiciary.

House Joint Resolution No. 93--Relative to memory, Judge C. S. Carney--By Crain.

Under the rules, House Joint Resolution No. 93 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1219--To levy wheel tax, Jefferson County--By Ford and Atchley.

Passed first consideration.

House Bill No. 1220--To provide for judicial officers, Tullahoma--By Johnson and Murray.

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Passed first consideration.

HOUSE BILL ON SECOND CONSIDERATION

House Bill No. 1221--To impose certain tax, Knox County.

Passed second consideration and held without reference.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 152--To make recommendations, juvenile court referees.

Passed first consideration.

Senate Bill No. 189--To regulate investment, State Treasurer.

Passed first consideration.

Senate Bill No. 204--To regulate rates and rating organizations.

Passed first consideration.

Senate Bill No. 247--To regulate sale, unclaimed property.

Passed first consideration.

Senate Bill No. 250--To regulate retainage, construction contracts.

Passed first consideration.

Senate Bill No. 284--To amend Section 9-8-220(f), Code.

Passed first consideration.

Senate Bill No. 294--To allow county legislative bodies, leave county owned property.

Passed first consideration.

Senate Bill No. 338--To fix mutual assistance, fire fighting.

Passed first consideration.

Senate Bill No. 343--To regulate State Credit Union Share Insurance Corporation.

Passed first consideration.

Senate Bill No. 344--To regulate Volunteer State Corporate Central Credit Union.

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Passed first consideration.

Senate Bill No. 371--To regulate publications, delinquent tax lists.

Passed first consideration.

Senate Bill No. 374--To regulate granting professional land surveyors, certain circumstances.

Passed first consideration.

Senate Bill No. 396--To regulate compensation, certain utility district commissioners.

Passed first consideration.

Senate Bill No. 427--To regulate removal, vegetation, private property.

Passed first consideration.

Senate Bill No. 469--To amend Section 4-21-108, Code.

Passed first consideration.

Senate Bill No. 489--To amend Title 7, Chapter 36, Part 1, Code.

Passed first consideration.

Senate Bill No. 501--To allow interlocal cooperation, certain fire departments.

Passed first consideration.

Senate Bill No. 568--To regulate board of examiners for land surveyors.

Passed first consideration.

Senate Bill No. 603--To amend Section 67-2003, Code.

Passed first consideration.

Senate Bill No. 605--To amend Section 5-5-105, Code.

Passed first consideration.

Senate Bill No. 606--To regulate management of funds, certain counties.

Passed first consideration.

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Senate Bill No. 800--To regulate liens, unclaimed vehicles.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, March 16, 1983: House Bills Nos. 256, 435, 270, 72, 553, 320, 340, 90, 91 and 495.

GILL, Chairman.

SPONSOR REMOVED

On motion of Mr. Gafford, his name was removed as sponsor of House Bill No. 1037.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1081--Whitson, Frensley

House Bill No. 1020--Duer

House Bill No. 1112--Ford, Robertson

House Bill No. 1149--Stafford

House Bill No. 1165--Duer

House Bill No. 1180--Duer

House Bill No. 1190--Henry

BILL WITHDRAWN

On motion of Mr. Dills House Bill No. 1041 was recalled from the Committee on State and Local Government.

On motion of Mr. Dills, House Bill No. 1041 was withdrawn from the House.

LOCAL BILL REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 1221.

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REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, March 16, 1983: House Bill No. 1221; House Joint Resolution No. 93; Senate Joint Resolution Nos. 42 and 43.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 17, 264, 272, 389, 608, 744, 1216, 1217 and 1218; and House Joint Resolution No. 92; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 208, 754, 755, 770, 819, 823, 837 and 988; also, House Joint Resolutions Nos. 72, 73, 74, 75 and 91; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

206--To regulate certain products subject to abuse; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

112-- To limit frequency of incorporation initiatives, proposed municipality.

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The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

31--To regulate killing of dogs used by law enforcement officials;

119--To alienate certain property under trust;

132--To regulate compensation, certain clerks;

156--To regulate Department of Safety;

198--To regulate retirement credit, blind employees;

435--To name U. S. Highway 431, Tom Austin Memorial Highway;

449--To regulate conduct, appraisal ratio studies, Board of Equalization;

450--To regulate sewage treatment works;

451--to authorize certain petition, Board of Equalization;

452--To regulate membership, Assessment Appeals Commission;

461--To continue professional educational requirements;

506--To regulate powers, Commissioner of Revenue;

588--To amend Chapter 35, Title 56, Code;

653--To amend Section 53-2032, Code; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos:

26--Relative to continuing Joint Subcommittee, Handicapped Education;

34--Relative to directing special educational care, West Tennessee;

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46--Relative to memory, C. S. Carney;

51--Relative to congratulating Jamison Bedding Company;

52--Relative to honoring Coach Ed Martin;

53--Relative to commending Will Grundy Quarles; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**On motion of Mr. Naifeh the House adjourned until 2:00 p.m;
Wednesday, March 16, 1983.**